



# South Coast Air Quality Management District

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SCAQMD

9/29/09

## PROPOSED FEDERAL LEGISLATION: EXPEDITED CONTROL OF LOCOMOTIVE EMISSIONS DESCRIPTION OF CONCEPTS

**California Rules.** The legislation would modify Section 209 of the federal Clean Air Act to treat locomotives like other non-road engines, i.e. authorize California to establish emission standards and other emission control requirements for new and existing locomotives if it obtains EPA authorization under current Clean Air Act Section 209(e). The legislation would also provide that the authority it grants supersedes limitations on state authority in other federal statutes, including the Interstate Commerce Commission Termination Act (ICCTA).

**EPA Rules.** The legislation would modify Section 213 of the federal Clean Air Act to require EPA to adopt rules that require expedited deployment of locomotives complying with EPA Tier 4 standards in ozone nonattainment areas classified as “Extreme,” “Severe” and “Serious.” The legislation would provide that such rules shall require deployment of Tier 4 locomotives as expeditiously as practicable, and shall —

- a. require locomotive manufacturers to expedite initial production of all or some types of locomotives complying with Tier 4 standards, unless EPA reasonably determines that expediting production is not feasible,
- b. require Class-One railroads to preferentially deploy Tier 4 locomotives to Extreme, Severe and Serious nonattainment areas, in numbers (or percentages) and by dates determined by EPA, and
- c. mandate that Class-One railroads operating in ozone nonattainment areas classified under the Clean Air Act as “Severe -17” or “Extreme” comply with the following:
  - i. no later than January 2012, all medium-horsepower and switcher locomotives operating in each such area shall comply with EPA Tier 2, 3 or 4 standards,
  - ii. no later than January 2014, at least 95% of locomotives operating in each such area shall comply with EPA Tier 2 standards,
  - iii. no later than January 2016, all medium-horsepower and switcher locomotives operating in each such area shall comply with EPA Tier 4 standards,
  - iv. no later than January 2020, at least 95% of locomotives entering properties controlled by marine ports in such areas shall comply with EPA Tier 4 standards, and
  - v. no later than January 2021, at least 95% of locomotives operating in each such area shall comply with EPA Tier 4 standards.

The EPA rules may allow a Class-One railroad to utilize lower numbers of locomotives than specified above if the railroad utilizes electrified or other zero-emission locomotives, and the railroad demonstrates that overall locomotive emission rates in each nonattainment area will be equal to or lower than the emission rates that would result from operation of locomotives complying with the above provisions.

The legislation shall provide that the authority and requirements it establishes supersede limitations on authority established by other federal statutes, including ICCTA.